

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS

SHERMAN DIVISION

IN RE:

CHADLEY L. SMITH
AND JILL M. SMITH

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Case No. 14-40420

(Chapter 13)

Debtor

ORDER ON OZARK RENTAL & INVESTMENTS GROUP, LLC's
MOTION TO LIFT THE STAY AND FOR ABANDONMENT OF PORTABLE BUILDING
THAT IS SUBJECT OF EXECUTORY CONTRACT REJECTED BY DEBTORS

On this date a Motion to Lift the Stay (the "Motion") filed by Ozark Rentals & Investments Group, LLC, ("Creditor"), was heard. The Court finds that the Motion was properly served pursuant to the Federal and Local Rules of Bankruptcy Procedure and that it contained the appropriate negative notice language, pursuant to Local Rule of Bankruptcy Procedure 4001, that directs any party opposed to the granting of the relief sought by the Motion to file a written response within fourteen (14) days or the Motion will be deemed by the Court to be unopposed. The Court finds that no objection or other written response to the Motion has been timely filed by any party. Due to the failure of any party to file a timely written response, the allegations contained in the Motion stand unopposed; therefore, the Court finds that good cause exists for the entry of the following order.

1. It is therefore ORDERED that the Motion to Lift the Stay filed by Creditor on May 21, 2014 is GRANTED so as to modify the automatic stay to allow Creditor to immediately repossess the SUTX10 x 16 Portable Building ("the Building"), to sell or otherwise dispose of the Building, and to apply the proceeds against the outstanding indebtedness due and payable, owed by Debtors to Creditor.
2. It is further ORDERED that Creditor, if it cannot repossess the Building, may resort to any other procedure allowable under state law to obtain possession of the Building, including procurement

of a writ.

3. It is further ORDERED that if Creditor needs to procure a writ, the automatic stay is modified so as to allow Creditor to file suit against Debtors in order to obtain the writ.
4. It is further ORDERED that Creditor may pursue whatever legal remedies it can to obtain payment from Debtors.
5. And it is further ORDERED that, since the Motion was unopposed by any party, the ten-day stay period otherwise imposed by Fed. R. Bankr. P. 4001(a)(3) shall not apply to this Order, and the stay shall lift immediately on entry of this Order.

IT IS SO ORDERED.

Signed on _____

THE HONORABLE BRENDA T. RHOADES
CHIEF UNITED STATES BANKRUPTCY JUDGE